

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Students 4 Mental Health Justice,

Plaintiff,

v.

THE PRESIDENT AND FELLOWS OF
HARVARD COLLEGE a/k/a the Harvard
Corporation d/b/a Harvard University,

Defendant.

Civil Action No. 1:25-cv-11452

**DEFENDANT PRESIDENT AND FELLOWS OF HARVARD COLLEGE'S MOTION TO
DISMISS THE COMPLAINT OR, IN THE ALTERNATIVE,
FOR A MORE DEFINITE STATEMENT**

Pursuant to Federal Rule of Civil Procedure 12(b)(1), Defendant President and Fellows of Harvard College (“Harvard” or the “College”)¹ hereby moves this Court to dismiss the Complaint filed by Plaintiff Students 4 Mental Health Justice (“S4MHJ”) with prejudice. In the alternative, and pursuant to Federal Rule of Civil Procedure 12(e), Defendant respectfully requests this Court to order Plaintiff to provide a more definite statement of the claims and allegations asserted in the Complaint.

The grounds for this motion and alternative relief are set forth in Defendant’s Memorandum of Law submitted herewith. As described therein, the Complaint should be dismissed because S4MHJ lacks standing to proceed. First, the organization does not allege sufficient facts showing that it is a traditional membership organization that may bring this

¹ The Complaint incorrectly identifies Harvard as “The President and Fellows of Harvard College a/k/a the Harvard Corporation d/b/a Harvard University.” President and Fellows of Harvard College is the correct name of the legal entity that is a party to this litigation. The names listed as “a/k/a” and “d/b/a” are not proper identifiers, as they do not accurately reflect Harvard’s legal name or entity.

lawsuit. Second, S4MHJ lacks associational standing to assert these claims solely as the representative of its members. Specifically, Plaintiff's allegations regarding Students A-E do not confer standing on S4MHJ because they do not describe an existing or imminently threatened harm that can be redressed by the prospective relief that the Complaint seeks. Moreover, the claims and remedies sought in the Complaint necessarily depend on the unique circumstances of each student and thereby require individual participation of S4MHJ's student-members. The need for such individualized participation and the request for particularized remedies defeat associational standing.

In the event that the Complaint is not dismissed, Defendant respectfully requests in the alternative that Plaintiff be ordered to submit an Amended Complaint which contains a more definite statement of the claims and allegations asserted against Harvard. As set forth in greater detail in Defendant's Memorandum of Law, S4MHJ purports to file this lawsuit in order to compel Harvard to change its allegedly discriminatory policies, practices, and procedures. However, the Complaint does not quote or cite to a single Harvard policy or provision, nor identify which purported actions of Harvard allegedly violate which statutes invoked by the Plaintiff. The Complaint, therefore, does not adequately or fairly put Harvard on notice of the claims against it, and a more definite statement should be ordered.

CONCLUSION

For the reasons stated herein, and as explained more fully in Harvard's supporting Memorandum of Law, Harvard respectfully requests that this Court dismiss the Complaint with prejudice. In the alternative, Harvard requests that this Court enter an Order directing Plaintiff to submit an Amended Complaint setting forth a more definite statement of the claims and relief sought, including (at a minimum): (a) each Harvard policy, policies, or practice(s) alleged to be wrongful; (b) which statute(s) each of those policies or practices allegedly violate; (c) whether

S4MHJ has current members who are currently or will be imminently subject to each purportedly unlawful practice; (d) the date(s) when any prior violation(s) purportedly occurred; and (e) the specific remedy sought.

Respectfully submitted,

**PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,
By its attorneys,**



Victoria L. Steinberg (BBO #666482)
Melanie Stallone (BBO #711658)
CLOHERTY & STEINBERG LLP
One Financial Center, Suite 1120
Boston, MA 02111
617-481-0160
vsteinberg@clohertysteinberg.com
mstallone@clohertysteinberg.com

*Attorneys for Defendant President and
Fellows of Harvard College*

Dated: October 27, 2025

REQUEST FOR HEARING

Pursuant to Local Rule 7.1(d), Defendant respectfully requests a hearing on this Motion on the grounds that oral argument may assist the Court in its consideration of the issues presented in this Motion.

/s/ Victoria L. Steinberg

Victoria L. Steinberg

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that, pursuant to Local Rule 7.1(a)(2), counsel for the Defendant conferred with counsel for the Plaintiff in an attempt to narrow or resolve the issues raised in this Motion. Plaintiff does not assent to the relief sought herein.

/s/ Victoria L. Steinberg

Victoria L. Steinberg

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2025, this document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Victoria L. Steinberg

Victoria L. Steinberg